

AUSTIN**CODE** Department

To: Mayor and City Council Members

From: Carl Smart, Director Austin Code Department

Date: December 2, 2014

Subject: Resolution 20131024-063; Full report and executive summary addressing

problem properties

On October 24, 2013, City Council passed Resolution 20131024-063 directing the City Manager to evaluate processes for addressing code compliance health and safety issues and crime at multi-family rentals, research best practices from other cities, consider greater enforcement of crime and code violations through the courts system, propose options for low-interest financing to help owners rehab their properties, explore the creation of programs to inform tenants of their rights to identify substandard properties, provide prevention strategies for property owners, and determine if funding from the Restore Rundberg federal grant can be used for any of the elements in the resolution in that area.

In response, the Austin Code Department conducted extensive research and worked closely with stakeholders to fulfill the requirements of the resolution. Attached you will find a detailed report and executive summary that provides a comprehensive analysis, recommendations and next steps.

A major highlight of the report includes a recommendation supported by City Management and partners to reassign existing positions to a project manager and attorney position within the Austin Code Department that works closely with the citywide interdepartmental team. The project manager and attorney, in collaboration with the team, will address problem properties and areas that are plagued with neighborhood issues including but not limited to: multiple code violations, criminal activity, and social service needs. The recommendation offers a multi-departmental approach that saturates City resources and services in areas of Austin that demonstrate the greatest need based on data. Thus, creating safer neighborhoods and ultimately empowering residents to improve their quality of life.

The Austin Code Department plans to begin implementation of the recommendation immediately by establishing a pilot program focusing on the Rundberg area. The pilot

program will launch January 2015 utilizing existing resources within the stakeholder group. Review the attached report for additional details.

For additional information or questions, contact Keith Leach at (512) 974-1979.

Attachment

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City of Austin Interdepartmental Team

Response to Resolution No. 20131024-063
Full report and executive summary

Presented by: Austin Code Department



<u>Introduction</u>

This Report provides information and recommendations in response to City Council Resolution 20131024-063 directing the City manager to evaluate processes for addressing code compliance health and safety issues and crime at multi-family rentals, research best practices from other cities, consider greater enforcement of crime and code violations through the courts system, propose options for low-interest financing to help owners rehab their properties, explore the creation of programs to inform tenants of their rights to identify substandard properties, provide prevention strategies for property owners, and determine if funding from the Restore Rundberg federal grant can be used for any of the elements in the resolution in that area. See attachment 1 for resolution.

Executive Summary

Since its establishment in 2009, the Austin Code Department has maintained Austin as a clean, livable City by providing quality education and enforcement of city codes and ordinances.

The Austin Code Department, in recent years, has experienced a rise in cases that are categorized as sub-standard or dangerous. These properties are a public nuisance and hazard thereby threatening the health, safety and quality of life of Austin's residents.

In light of these developments, the general public, through investigative media coverage and City Council (by way of Resolution 20131024-063, requesting an evaluation of processes for addressing code compliance health and safety issues and crime at multifamily rentals; Resolution 20130606-049, which created a repeat offenders program of rental registration; and Resolution 20131003-100, supporting Austin Code's goal of bringing violations to the Building and Standards Commission within 90 days), has asked City officials to step-up code enforcement by implementing programs that offer tougher enforcement and increased licensing and regulation of residential and commercial structures.

In addition, a report conducted by The Entrepreneurship and Community Development Clinic at University of Texas School of Law's in August 2013 entitled, "Addressing Problem Properties: Legal and Policy Tools for a Safer Rundberg and Safer Austin," suggested increased coordination of enforcement actions within the City has the potential to enhance effectiveness and efficiency of the actions. See attachment 2 for UT executive summary.

The Austin Code Department has responded by conducting extensive research and working closely with stakeholders to compile this report. Major findings concluded the lack of an interdepartmental team approach to address problem properties. The core recommendations from this report include:

- The creation of a citywide interdepartmental team that consists of executive and managerial level staff.
- The reassignment of current staff or the development of two full time equivalent employees to fill the following roles:
 - a project manager, that works closely with Austin Code and the interdepartmental team to coordinate implementation of a citywide program.
 - o an attorney that will handle all legal aspects of the program, enforce cases against problem properties and file lawsuits on property owners that fail to comply with city codes.
- Identification of the top four areas in Austin that that are plagued with neighborhood issues including but not limited to: multiple code violations, criminal activity, and social service needs.
 - o Beginning with the Rundberg area
- Implementation of a pilot program, in January 2015
- After six months of program implementation, report recommendations to City Council, on fiscal impact, sustainability and steps moving forward.

Research Findings and National Best Practices

After a thorough review and evaluation of the Austin Code Departments current processes for addressing code violations related to health, safety and social services issues, it was discovered that we independently lacked the internal organizational resources or structure to address these problems. We conducted extensive research to explore how other cities address similar problems.

The charts, *in attachment 3*, depict research findings for addressing problem properties that included the establishment of neighborhood services team. The Austin Code Department spoke to personnel and surveyed the mission, structure and findings for the teams created in the cities of: Tempe, Arizona; Berkeley, CA; Fort Worth, TX; Sacramento, CA; Madison, WI; San Diego, CA; Arlington, TX; Rochester, NY; Cedar Rapids, IA; Pittsburgh, CA; Dallas, TX; and Oakland, California.

Research findings indicated the following as national best practices:

Tempe, AZ—Neighborhood Services Division

Coordinates the Interdepartmental Work Group

- Three people housed in the City Manager's office.
- Interdepartmental Working Group meets once a month to discuss issues and prioritize responses.
- Used large amounts of city data to take an analytical/proactive approach and designate "hot spots" of areas that may have unmet or unknown needs.
- Budget cuts have caused the scope to focus on larger issues only.

 Other obstacles always include resources – capital investments are needed in many areas and are expensive.

Berkeley, CA-- Neighborhood Services Team (NST)

Considered the "first touch," coordinates the Operational Division group

- Unit housed in the City Manager's office.
- Most of the work of the NST unit comes from referrals from the City Council, City departments, residents & businesses, but they also try to identify emerging problems before they become more serious.
- Agenda typically comes from referrals from council.
- "First touch" the team responds to an issue and tries to provide/coordinate services before it becomes an enforcement issue. Lead with a helping hand, but have a veil of threat of enforcement.
- Facilitative leadership, not directive authority coordinate departments to get the right people in the room & facilitate the discussion.
- Many times a project or issue may require forming an ad hoc team to focus on a specific issue.

Rochester, NY-- Neighborhood Service Centers (NSC)

City is divided into four quadrants, each with its own Interdepartmental Team, Neighborhood Service Center, & Strategic Plan

- Each quadrant reports to one City Commissioner and has its own Strategic Plan with action items to address issues in their area.
- Team meets 1 or 2 times a month, and typically involves representatives from zoning, housing, business development, library, community recreation, but some other departments may come, depending on the topics that need to be addressed.
- The Neighborhood Service Center houses a Neighborhood Preservation representative, who acts as the program manager for the team. This representative is the conduit for community communications.
- Each NSC is given \$10,000 a year from council to allocate to efforts in the neighborhoods.

Madison, WI-- Neighborhood Resource Teams

Operate in nine specific neighborhoods, coordinates with neighborhood stakeholders

- Team consists of a city staff person from major city agencies with oversight of the team housed in the Mayor's office. However, they recently moved to the public health department.
- The goal is to have a self-sustaining community where opportunities exist.

Existing Programs

The Austin Code Department identified the existing programs below that address issues from an interdepartmental approach.

APD - Office of Community Liaison

- Explore APD District Representative Program
- Keep Austin Beautiful for sustainability ideas
- Office of Neighborhood Services
- Support, Abatement, Forfeiture, Enforcement (S.A.F.E.)
- Public Assembly Code Enforcement (P.A.C.E.)
- Austin Center for Events (A.C.E.)

While these teams have proven success at addressing issues related to their respective objectives and goals, the teams did not address code violations related to health, safety and social services issues.

Stakeholder Input

Beginning December 2013-June 2014, the Austin Code Department conducted a series of meetings with City Executive and Managerial staff from the following departments:

- Austin Police Department
- Austin/Travis County Health and Human Services Department
- City Attorney's Office
- Austin Resource Recovery
- Communications and Technology Management
- Austin Fire Department
- Austin/Travis County Emergency Medical Services
- Permitting, Development and Review
- Neighborhood Housing and Community Development
- Austin Energy/3-1-1
- Communications and Public Information Office
- City Manager's Office

At the meetings, stakeholders discussed the problems identified in the resolution, reviewed national best practices, existing city programs and made recommendations for moving forward. See presentation, attachment 4.

It was agreed and recommended that the City of Austin form an interdepartmental team that addresses problem properties and areas in Austin that have a high public safety call volume and demand of multiple City services. The team would work collaboratively by pulling together existing resources to identified areas. The team recommended that a project manager and attorney position be created or current staff be reassigned to implement the program. The program will identify four areas of Austin that demonstrate the greatest need based on a data.

The components of the program will consist of a public education campaign and community engagement approach that involves:

- Creating a communications plan for external stakeholders
- Development of a community input process

- Community buy-in for sustainability
- Development of neighborhood partnerships
- Determination of performance measurers to evaluate success
- Participation in public forums such as:
 - APD Commander's forum
 - Neighborhood planning meetings
 - Neighborhood Association Meetings
 - o Others

The project manager will coordinate all aspects of the program by ensuring successful implementation, thus, creating safer neighborhoods and ultimately empowering residents to improve their quality of life.

The attorney will handle all legal aspects of the program. In addition, this position will enforce cases against problem properties and file lawsuits on property owners that fail to comply with city codes.

Data Analysis

The stakeholders relied on a data-driven approach to determine focus areas for team efforts. This approach involved mapping Fiscal Year 2013 Fire, Police, Emergency, and Code responses to incidents concerning persons and property. Incidents that occurred on or within 50 feet of a multifamily property were included in a hot spot analysis to identify clusters of properties where a high volume of health and safety service calls occurred.

The map included in this report *in attachment 5*, shows the results of the hot spot analysis and depicts clusters of properties with a high volume of service calls (mapped in red) as well as clusters of properties with a low volume of service calls (mapped in blue). The stakeholders identified four high volume clusters to focus team efforts. The properties found in these four areas were then compared to properties who qualify for the existing Repeat Offender program. Out of the 250 total properties with violations found in the four clusters, three properties qualify as repeat offenders.

Considerations and Challenges

Upon review of the data analysis, stakeholders identified the need for full support of all Directors and City Management.

The stakeholders considered the following when identifying the area(s) that will be a part of the pilot program:

- Size and depth of the area.
- The existing City programs, plans and resources already allocated.

The likelihood of successful implementation with minimal fiscal impact.

In addition, the team identified the following challenges:

- Overcoming barriers and implementing solutions in a timely manner.
- Integrating data systems, reducing lag time and providing more transparency in processes.
- Meeting affordable housing challenges.
- Possible displacement of residents due to unsafe living conditions.
- Need for alternative and affordable housing options.
- Maintaining sustainability of initiative.
- Support from departments.
- · Demand on limited resources/budgets.
- Conflicts with existing priorities.

Recommendations

The core recommendations from this report include:

- The creation of a citywide interdepartmental team that consists of executive and managerial level staff.
- The reassignment of current staff or the development of two full time equivalent employees to fill the following roles:
 - a project manager, that works closely with Austin Code and the interdepartmental team to coordinate implementation of a citywide program.
 - an attorney that will handle all legal aspects of the program, enforce cases against problem properties and file lawsuits on property owners that fail to comply with city codes.
- Identification of the top four areas in Austin that that are plagued with neighborhood issues including but not limited to: multiple code violations, criminal activity, and social service needs.
 - Beginning with the Rundberg area
- Implementation of a pilot program, in January 2015
- After six months of program implementation, report recommendations to City Council, on fiscal impact, sustainability and steps moving forward.

Next Steps

The Austin Code Department plans to begin implementation of the recommendation immediately by establishing a pilot program focusing on one of the Rundberg area. The pilot program will launch January 2015 utilizing existing resources within the Interdepartmental Team.

Attachment 1, Resolution 20131024-063

RESOLUTION NO. 20131024-063

WHEREAS, the City is committed to ensuring that residential rental properties are safe and well-maintained in every area of our community; and

WHEREAS, properties that have multiple code violations and where illegal activity occurs have adverse effects on the health, safety, welfare of Austin residents; and

WHEREAS, Council adopted Resolution 20130606-049, which created a repeat offenders program of rental registration, and Resolution 20131003-100, supporting Code Compliance's goal of bringing violations to the Building and Standards Commission within 90 days; and

WHEREAS, these initiatives will aid the ongoing effort to ensure safer housing for Austin renters; and

WHEREAS, The Entrepreneurship and Community Development Clinic at University of Texas School of Law's recent report, "Addressing Problem Properties: Legal and Policy Tools for a Safer Rundberg and Safer Austin," identifies other strategies for taking more assertive enforcement action with regard to problem properties; and

WHEREAS, the report suggests that increased coordination of enforcement actions within the City has the potential to enhance effectiveness and efficiency of the actions; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to review and evaluate the current City of Austin process for addressing code violations related to health and safety issues and crime at the city's multi-family rental properties. After exploring code enforcement and criminal nuisance abatement practices in the cities of Dallas, Oakland, San Diego, and others, the City Manager is directed to return to Council by April 2014 with recommendations for strengthening the City's response to such situations, including a cross-departmental approach that includes public safety, legal, and housing perspectives.

BE IT FURTHER RESOLVED:

The City Manager is further directed to consider an enhanced process with greater enforcement for properties with a demonstrated history of criminal activity and code violations through the court system. If the process would demand additional internal or external legal resources, the proposal should be accompanied by a fiscal note.

BE IT FURTHER RESOLVED:

The City Manager is further directed to propose options such as lowinterest financing to assist multifamily owners in rehabilitating properties with multiple code violations to ensure safer living environments while also preserving existing affordable housing. These options should be considered within the stakeholder and staff process responding to Resolution 20130509-031 on preservation of affordable housing and provided to Council by February 28, 2014.

BE IT FURTHER RESOLVED:

The City Manager is further directed to explore creating programs that help tenants to identify dangerous or substandard conditions related to their housing and that inform landlords about safe housing issues and crime prevention strategies. The City Manager is further directed to report back by April 2014 on these programs.

BE IT FURTHER RESOLVED:

The City Manager is further directed to consider if funding from the Department of Justice "Restore Rundberg" grant may be used for any elements of the above proposals within the geographic boundaries specified in the grant application and award.

ADOPTED: October 24, 2013 ATTEST: Jannette S. Goodall
City Clerk

Attachment 2, UT Executive Summary

ADDRESSING PROBLEM PROPERTIES: LEGAL AND POLICY TOOLS FOR A SAFER RUNDBERG AND SAFER AUSTIN

A REPORT PREPARED FOR GREEN DOORS BY THE
UNIVERSITY OF TEXAS SCHOOL OF LAW
ENTREPRENEURSHIP & COMMUNITY DEVELOPMENT CLINIC

HEATHER K. WAY, CLINIC DIRECTOR STEPHANIE TRINH, LAW STUDENT MELISSA WYATT, LAW STUDENT

August 2013

EXECUTIVE SUMMARY

This Report provides information and recommendations on legal and policy tools for improving public safety and the quality of life in the Rundberg area of Austin by addressing problem properties—in particular, multifamily and commercial properties that generate repeated criminal activity or are in dangerous physical condition. While we focus on the Rundberg area, our policy recommendations are applicable citywide, to any Austin neighborhood confronted with problem properties. The complete report is available at www.utexas.edu/law/clinics/community/.

I. THE CHALLENGES WITH PROBLEM PROPERTIES

The Rundberg area and other distressed neighborhoods in Austin face two core challenges when it comes to problem properties. The first challenge is a high concentration of individual properties, primarily multifamily complexes and motels, that are the sources of repeated criminal activity, threatening residents' sense of safety and wellbeing. Research reveals that just 2 percent of the addresses in the Rundberg area account for 60 percent of the calls for service, which is a fact mirrored in many cities nationwide. For example, prior to intervention by the City of Austin, the Budget Lodge motel in the Rundberg area generated 463 responses from emergency services (including police) and 103 police reports in just a ten-month period.

The second challenge is a concentration of deteriorating multifamily properties with dangerous and substandard conditions. In the Rundberg area and Austin at large,

this challenge is exacerbated by a large stock of older and poorly maintained multifamily housing. Close to 62 percent of Austin's apartment units (approximately 83,000 units) are located in Class C properties, and at least 43 percent of Austin's multifamily housing stock was built prior to 1974. Adding to this challenge, Austin has a long-standing culture of lax code enforcement, in which owners of substandard buildings face little in the way of repercussions for allowing their properties to deteriorate and generate unsafe living conditions.

II. SUMMARY OF MAJOR FINDINGS

For this Report, we conducted extensive research on Austin's current policies and national best practices pertaining to problem properties through multiple conversations with City of Austin staff, other local stakeholders, and officials in other cities, as well as extensive independent research and consultations with national experts. Our principal conclusion from this research is that Austin's current policy tools and budgetary priorities are severely inadequate for addressing problem properties and making neighborhoods safer. In particular, we identified the following five core issues:

- 1. Lack of enforcement infrastructure in the City Attorney's Office. The City Attorney's Office is woefully understaffed to enforce cases against problem properties. The Office has only two attorneys working part-time on problem property cases, along with an attorney assigned to the Code Compliance Department. As a result of these limited attorney resources, the Austin Police Department has refrained from referring nuisance abatement cases to the City Attorney's Office, and the Code Compliance Department is unable to back up its enforcement actions with lawsuits against recalcitrant property owners who refuse to make their properties safe. Other cities have entire units of attorneys who are dedicated solely to problem property enforcement.
- 2. Insufficient utilization of criminal nuisance abatement and other problem-oriented policing practices. The Austin Police Department (APD) has placed a low priority on nuisance abatement and other problem-oriented policing practices. The Department has only two officers assigned to APD's Nuisance Abatement Unit, which operates in a reactive, triage mode responding to referrals from across the city. The Unit's officers are overwhelmed with the cases on their docket and, as a result, are unable to thoroughly pursue nuisance abatement in many situations that warrant this tool. APD officers outside the Unit receive very little in the way of training on nuisance abatement practices for addressing crime. In contrast, many other cities in Texas and around the country have made nuisance abatement and other problem-oriented policing practices a core part of their training programs and operations. The City of Austin's failure to prioritize nuisance abatement severely limits the City's ability to combat problem properties and address sources of crime in Austin neighborhoods.

- 3. Code enforcement deficiencies. There are three main problems with the City of Austin's current code enforcement program. First, the City relies on a complaint-based, reactive system rather than a proactive registration system that identifies, monitors, and targets the most egregious code violations. Unless something catastrophic happens, like a walkway or balcony collapsing, Austin does not have systems in place to identify and closely monitor the worst code violators. Second, the City lacks an adequate enforcement system to take more aggressive measures against landlords who repeatedly violate code and fail to fix dangerous building conditions. Finally, the City lacks programs to remediate code violations when landlords fail to make their properties safe. The City of Austin's code enforcement program is also impeded by the lack of adequate technology to allow the City and public to track the worst code violators.
- 4. Lack of interdisciplinary collaboration among city departments. The City of Austin is not utilizing the interdisciplinary, collaborative approaches utilized in other cities around the country, where dedicated teams of city staff from across city departments (including police officers, fire and code inspectors, and city attorneys) work closely together on a regular, on-going basis to address the most challenging problem properties.
- 5. No programs in place to help multifamily owners fix problem properties. Owners of smaller multifamily properties face unique challenges in accessing financing to repair their properties and bring them up to code, while also preserving the units as affordable housing. Other cities around the country have addressed these challenges by offering classes on property management as well as programs that assist with financing the rehabilitation of multifamily properties combined with affordable housing preservation commitments.

III. NATIONAL BEST PRACTICES

The Report explores several national best practices for addressing problem properties, including the following three policy tools: criminal nuisance abatement, code enforcement, and rental registration.

A. CRIMINAL NUISANCE ABATEMENT

Criminal nuisance abatement is an important form of problem-oriented policing, whereby police officers, code inspectors, and other city officials work closely together using interdisciplinary, problem-solving oriented approaches to analyze what is causing the high rates of crime at a property and what approaches could be taken to abate (i.e., eliminate) the criminal activity, given the unique circumstances of the property. If the owner is uncooperative in taking reasonable actions to reduce crime, the city can bring a lawsuit to shut down the property. However, studies have shown that in the vast majority of nuisance abatement cases where police officers are actively engaged with the owner, a lawsuit never has to be filed—almost all

owners take appropriate actions to reduce crime on the property.

Studies have also established that nuisance abatement is a very cost-effective tool for lowering crime at nuisance properties and improving the quality of life in a community. In contrast, continually arresting people on high-crime properties generally does little or nothing over the long-term to reduce crime at that location unless a city is also addressing the source of the crime. Cities all around the country have had very successful results in focusing resources on nuisance abatement. For example:

- A study in San Diego found that crime fell by 60 percent at high-crime properties over a 30-month period when police sent a letter to the property owner threatening closure of the property, followed up with a face-to-face meeting laying out actions to take, and then worked with the owner to make sure the changes were made.
- In Sacramento, a nuisance abatement program along a high-crime corridor resulted in crime rates dropping 36 percent, a decrease in code violations, an increase in local business tax revenue, and long-term cost savings to the City.
- In Houston, crime fell at all 21 apartment complexes in the City's multifamily nuisance abatement program, with crime rates falling 39 percent in just one year.
- The cities of Dallas and Arlington, Texas also report that their nuisance abatement programs have resulted in a high rate of voluntary compliance by property owners and in considerable reductions in crimes and calls for services.

National best practices in criminal nuisance abatement include:

- Providing training for police and other city staff on nuisance abatement and
 other problem-oriented approaches. For example, in Houston, 100 police
 officers have completed a 40-hour training on combating crime through
 environmental design strategies, and the City is moving towards making the
 training mandatory for all cadets in the police academy.
- Interdisciplinary nuisance abatement teams—such as those utilized in Houston, Dallas, San Diego, Sacramento, and Columbus—where staff from different city departments collaborate closely together to target the worst problem properties.
- Proactive approaches to address high-crime multifamily properties, such as
 Houston's and Dallas's multifamily nuisance abatement programs, which
 require owners of high-crime apartments to adopt environmental features
 proven to reduce crime (such as security lighting), attend a training program
 and monthly community policing meetings, and conduct monthly crime
 awareness meetings with residents.
- Employing a unit of city attorneys who are dedicated to prosecuting nuisance

- abatement actions and bringing other legal actions to address problem properties. Many cities utilize this approach, including Dallas, San Diego, and Denver.
- A budget motel licensing program that requires motels to adopt sound management practices and environmental design features, such as the awardwinning program adopted in Chula Vista, California, where crimes at budget motels fell by 70 percent and the overall appearance of the motels greatly improved.

B. CODE ENFORCEMENT

Effective building code enforcement is an important tool for not only addressing problem properties and making them safer places to live but also for deterring rental property owners from letting their properties slip into a state of decline. There are four critical elements of an effective code enforcement system:

- The city needs a process for systematically identifying code violations at rental properties.
- 2. There must be a process for **monitoring** violations.
- When violations occur, there must be a process for enforcing the code and swiftly imposing penalties when the violations are not addressed or are repeated.
- 4. There must be a process in place for **remedying** code violations and making properties safe when landlords fail to do so. A code enforcement system should also include a program for providing alternative housing to tenants when enforcement efforts fail.

National best practices in code enforcement include:

- Rental Registration with proactive inspections (discussed further below) to identify dangerous code issues and incentivize property owners to keep their properties up to code.
- Programs for targeting the worst code offenders such as in Providence, Rhode Island, where a task force of different agency officials meets about twice a month to monitor and address 20 problem properties.
- Community prosecutor programs, such as those adopted in Dallas and Seattle, where city attorneys work directly out of a targeted geographic area with a team of other city officials on neighborhood quality of life issues.
- Dedicated housing courts that hear all problem property cases.
- Sophisticated property information systems that provide current and comprehensive information about properties and allow the city and residents to easily track and monitor the code enforcement process.
- Utilization of more aggressive legal actions against egregious code violators, including increased fines against repeat violators, as well as civil lawsuits and receivership when an apartment complex owner refuses to make a property safe.

- Emergency tenant relocation programs for assisting tenants who are displaced from dangerous housing that is condemned.
- Rehabilitation assistance programs for troubled multifamily properties, such
 as the successful programs adopted in New York City, New Jersey, and Chicago,
 where landlords receive loans and other assistance to fix up their properties in
 exchange for committing to keep the units affordable.

C. RENTAL REGISTRATION

Rental registration is an efficient and evidence-backed tool for identifying and remedying dangerous code violations in rental properties. Rental registration programs require multifamily rental properties (and sometimes single-family, depending on the program) to register with the city by submitting a simple form identifying basic information about the property, such as how to reach the landlord in the event of an emergency. Usually a small fee (\$10 to \$25 per unit is typical) is required as part of the registration. The city then inspects each property—typically once every three to five years—according to an inspection checklist, checking for major code violations and life threatening conditions.

Rental registration programs give city code inspectors the authority to inspect the exterior and interior spaces of rental units on a rotating basis without having to go through the time-consuming process of obtaining a court warrant. Rental properties that fail the initial inspection are subject to re-inspections, and landlords can eventually have their registration revoked if they fail to make their properties safe for tenants.

A large and growing number of U.S. cities have been adopting rental registration ordinances, recognizing the critical role these ordinances play in identifying, deterring, and remedying code violations. Cities with a rental registration program include at least 20 Texas cities such as Houston, Dallas, Fort Worth, and Arlington, and many large U.S. cities such as Seattle, Sacramento, Philadelphia, Boston, Raleigh, Los Angeles, and Minneapolis.

The benefits of rental registration programs with pro-active inspections include the following:

Rental registration inspections provide cities with a mechanism to identify dangerous apartment complexes. According to a report from the City of Austin, a "sizeable number of multifamily housing is substandard, aging, and overcrowded" in Austin, but city officials do not know where all these problem properties are located. Multiple studies have established that a large portion of dangerous code violations are unreported and undetected by officials in the absence of a rental registration program. Tenants' fear of retaliation is a major factor in the underreporting of code violations. Tenants also do not have the technical expertise needed to identify and report many types of dangerous code violations.

- Rental registration is a low-cost, self-funding program, meaning that local governments can implement the program without the use of tax revenue. With multifamily registration fees typically ranging from \$.83 to \$2.08 a month per unit, the financial impact of rental registration fees on owners and tenants is very minimal. The city staffing requirements are also minimal. The City of Houston, for example, employs just 4 code inspectors for its mandatory apartment inspection program. The inspectors have almost completed their first round of inspections for Houston's 5,000 registered multifamily properties.
- Rental registration programs have a strong track record of deterring landlords from engaging in deferred maintenance and lax property management and of increasing safe living conditions. For example, a study of North Carolina cities with rental registration ordinances found that the ordinances resulted in landlords bringing their properties into code compliance more rapidly, a decrease in residential fires, and a reduction in code complaints.
- Rental registration programs provide cities with important information needed to contact owners or property managers when there is an emergency, code issues, or other problems with a rental property.

IV. RECOMMENDATIONS FOR ACTION

The Report contains a list of recommendations to improve the City of Austin's policies for addressing problem property properties and making neighborhoods safer. The following are the core recommendations from the Report:

- 1. Build a Stronger Code Enforcement Program for Rental Properties. The City of Austin needs to adopt stronger code enforcement policies to address dangerous multifamily properties, including policies that identify major code violations, swift enforcement actions when compliance does not occur, and policies that remediate major code violations when rental property owners fail to do so. These policies should include adoption of a rental registration ordinance with comprehensive inspections of rental properties, aggressive prosecution of laws against egregious code violators such as through Chapter 54 lawsuits, and creation of a remediation program, such as receivership, to repair rental properties when owners fail to do so.
- 2. **Create a Problem Property Unit in the City Attorney's Office.** We recommend that the City Attorney's Office create a special unit of attorneys dedicated solely to enforcing code violations and other problem property laws.
- Create a Citywide Community Prosecutor Program, modeled on the City of Dallas's program, where community prosecutors from the City Attorney's Office have offices within the community and focus on code compliance, criminal nuisance issues, and other neighborhood quality of life issues utilizing community-focused strategies.

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- 4. Create an Interdisciplinary Problem Property Team with Increased Focus on Criminal Nuisance Abatement. We recommend the City of Austin follow the approach utilized in Dallas, Houston, and many other cities to set up interdisciplinary nuisance abatement teams of personnel from different city departments who collaborate closely together and coordinate resources to focus on the worst problem properties. We also recommend that the Austin Police Department expand its use of nuisance abatement and other problemoriented policing, including assigning more officers to perform nuisance abatement work and increased training across the Department on problemoriented policing, criminal nuisance abatement, and related approaches to addressing problem properties. We further recommend the City adopt a special proactive nuisance abatement program for high-crime multifamily properties, similar to the programs utilized in Dallas and Houston.
- 5. **Budget Motels.** We recommend the City of Austin adopt a hotel-motel licensing ordinance, modeled on the award-winning Chula Vista, California, ordinance, which would require hotels and motels in the city to adopt basic safety measures, not have any outstanding code violations, and not fall above a crime threshold set by the Police Department.
- 6. **Technology**. The City needs to create a stronger property information system to inform planning, intervention, and research around problem properties, integrating data from the Code Compliance Department, the Police Department, and other city departments. The system should also allow the public access to track the status of code complaints and other information on problem properties in their neighborhoods.
- 7. **Protect Displaced Tenants.** The City of Austin should adopt an emergency tenant relocation ordinance to assist tenants when they are displaced as a result of code enforcement actions, and also create an emergency response team to coordinate the delivery of emergency assistance to tenants when a property has to be shut down due to dangerous living conditions.
- 8. Create a Rehabilitation and Affordable Housing Preservation Program for Older Multifamily Properties. The City of Austin should create a program that provides low-interest financing to multifamily property owners with repair challenges in order to help the owners rehabilitate their properties, while tying the assistance to affordable housing preservation.

Attachment 3, Research findings and best practices

City Survey of Neighborhood Service Teams

Neighborhood Services Division & Interdepartmental Work Group Tempe, AZ

Contact: Shauna Warner (480) 350-8883

https://www.tempe.gov/index.aspx?page=499

	The Neighborhood Comises Division's key feets is to maintain along
	The Neighborhood Services Division's key focus is to maintain clear
Mission	communication lines between neighborhood groups, residents and City
	Hall. By linking Tempe residents with City officials and staff, the Division
	helps them identify, address and resolve neighborhood issues and
	establish future goals and priorities.
	Neighborhood Services Division (NSD) consists of 3 people in the
	Manager's office. They coordinate the Interdepartmental Work Group
Structure	(IWG) which consists of a representative from each department that has decision making authority.
	The IWG meets once a month to discuss issues and prioritize responses.
	Many times this standing meeting becomes a roundtable to discuss
	neighborhood issues. The NSD group acts as the community liaison for
	the IWG, as well as the project manager for any decisions made by the
	working group.
	Formed in 1987 after several incidents where residents showed up at
	council meetings with issues that weren't being addresses. The City
Notes	decided to take a more analytical/proactive approach and use all of the
110100	data available (citizen surveys, department data, police data) to designate
	"hot spots" of areas that may have unmet or unknown needs. Initially it
	was a very comprehensive program, but budget cuts have caused the
	scope to focus on larger issues only. Issue as always is resources –
	capital investments that are needed in many of these areas are
	expensive.

Neighborhood Services Berkeley, CA

Contact: Jim Hynes (510) 981-2493

http://www.ci.berkeley.ca.us/neighborhoods.aspx

	The Neighborhood Services team brings together people from different
Mission	City departments to handle citizen complaints and other problems that
	affect the quality of life in Berkeley. While most of the work of the
	Neighborhood Services unit comes from referrals from the City Council,
	City departments, residents and businesses, we also try to identify
	emerging problems before they become more serious.
	Neighborhood Services is a unit of the City Manager's Office (previously
Structure	four people, now one and an assistant) and is dedicated to working on
	the problems in the community that require teamwork and coordination

across City departments.
The NS Operational Divisions group is composed of 8 or 9 departments and meets monthly. Many times a project or issue may require forming an ad hoc team to focus on the issue. The NS facilitates the formation of this group. The NS team does not have directive authority, but acts largely through facilitative leadership – brokering relationships between staff and responsibility.
Agenda typically comes from referrals from council. The NS group is
considered "the first touch" – they respond to an issue and try to provide
services before it becomes and enforcement issue. Lead with a helping hand (that has a veil of threat of enforcement).
Looks for root of problems and tackles them in a multi-disciplinary
approach (ex – shooting at a liquor store – NS focused on housing where
the shooter came from (it was a really bad spot, crime issues already),
Economic Development worked with the business owner to fix up and
determine what could be done to prevent in the future.

Neighborhood Preservation – Neighborhood Service Centers Rochester, NY

Contact:Nancy Jones Price

http://www.cityofrochester.gov/article.aspx?id=8589939519

Mission	Neighborhood Service Centers are based on the notion that the best way of responding to neighborhood issues is by teaming residents with City staff to devise and achieve effective solutions. This approach brings City government closer to its citizens and their neighborhoods so that quality of life issues can be addressed quickly and effectively. " creatively resolve issues, establish community partnerships, and proactively promote the stability, strengths and growth of city neighborhoods and businesses. Quadrant Teams were formed to take advantage of the multidisciplinary skills experience and talent of City supporters both inside and outside of City Hall."
Structure	The City is divided into four quadrant teams, each with its own Interdepartmental Team & Neighborhood Service Center. Each Quadrant has its own Strategic Plan with action items to address issues in their area, and reports to one City Commissioner. Team meets 1 or 2x a month and typically involves zoning, housing, business development, library, community recreation, but some other departments may come depending on the topics that need to be addressed. The Neighborhood Service Center houses a Neighborhood Preservation representative, who acts as the program manager for the team. This representative (as well as a small team under them) is the conduit for community communications. They attend all community meetings, and meet with community leaders once every other month. Each NSC is given \$10,000 a year from Council to allocate to efforts in the neighborhoods.

	City Council typically comes to the NSC before heading out into the
Notes	community, to see if any progress has been made on a topic, see if
	anything has been vetted with the community already, etc. The NSC has
	gained such a good reputation with the community, people typically come
	to NSC before they head to Council.
	The NSC documents all processes so Council and the community can
	see how they're making decisions, and make sure all of the community is
	involved (big impact on showing what the majority in a community wants,
	not just the vocal few that go to Council).
	Topics include coordination of events between neighborhoods (some
	feuding neighborhoods), organization of efforts to support or challenge
	development, mediation of problem properties,

Neighborhood Education Division Fort Worth, TX

Contact: Madeline Gibbs

http://fortworthtexas.gov/crd/info/default.aspx?id=3400

Mission	The Neighborhood Education Office works directly with residents in the community, providing education on City services, as well as support for
	neighborhood associations.
Structure	This group started in the City Manager's office in the 1990s and has since become its own office.
	They are responsible for three major areas – 1. Presentations at schools;
	2. Neighborhood association meetings and registration; 3. Helping City
	departments connect to communities and set up meetings, outreach, etc
	The NED are a liaison between the public and all City departments – if a
	citizen has an issue, they provide the name, email and phone number of
	the City contact that can help, and then call that City contact to let them
	know they will be getting a call, and what the call is about.
	They also help coordinate efforts for between districts – if an issue brings
	two council districts into the mix, they set up meetings, provide sign in
Notes	sheets, sit down with the parties.
Notes	One example of coordination efforts includes when the transportation
	department was implementing a "road diet". They contacted two
	neighborhood associations that would be affected, but missed 4 other
	associations. NED found out because they attend all community
	meetings, and quickly informed the transportation department. The
	Director of Transportation attended all of the next neighborhood meetings and smoothed things over.
	a

Neighborhood Services Delivery Initiative Cedar Rapids, IA

Contact:LaShiela Yates (319) 286-5192

http://www.cedar-rapids.org/resident-resources/neighborhood-services/neighborhoodsupport/Pages/default.aspx

Mission	The NSDI is a plan to coordinate City services and improve the delivery of City services to the organized neighborhood associations in the community. The NSDI was created to strengthening City relationships with neighborhood associations and improve the Cedar Rapids community.
Structure	Members of the City's senior management team provide direct support to communities by serving as liaisons between the City and neighborhood associations. Each City Director is assigned to a neighborhood association, attends neighborhood association meetings, and acts as the point of contact for community members that have questions about city services and programs. City Directors also work with teams from different City departments to respond and address community concerns. Representatives have been assigned from Code Enforcement, Community Development, Fire, Parks & Recreation, Police, Public Works, and Utilities departments.
Notes	

Neighborhood Improvement Team Pittsburgh, CA

Contact: City Manager's office (925) 252-4850

http://www.ci.pittsburg.ca.us/index.aspx?page=119

Mission	Create partnerships with resident to improve the quality of life in our community by identifying and applying resources in response to neighborhood concerns.
	The Neighborhood Improvement Team is comprised of City staff
Structure	representing various departments dedicated to improving neighborhoods.
Notes	In January 2004, the City started an aggressive campaign to improve the communities' impression of the City and City government while at the same time improving the quality of life in targeted neighborhoods. The result was the creation of Pittsburg's Neighborhood Improvement Team (NIT). The NIT holds neighborhood meetings throughout the City, listens and documents citizen's issues/concerns.

Neighborhood Response Team Sacramento, CA

Contact:http://www.cityofsacramento.org/ns/get-involved/nrt/

Mission	
Structure	Divided into geographic zones, each zone has a zone team and a designated zone captain. These teams are made up of VOLUNTEEER interested individuals, neighborhood associations, business association, etc. Zone captains meet monthly with City staff members to report on current cases and receive feedback.
Notes	

Neighborhood Resource Team Madison, WI

Contact: Tariq Saqqaf (608) 266-6352

http://www.cityofmadison.com/mayor/nrt/backgroundContact.cfm

Mission	NRTs combine and coordinate the strength of City Departments with neighborhood stakeholders to improve the quality of life for Madison residents. The NRTs will help ensure that City programs and services are responsive to and reflective of the aspirations and values of the neighborhood. The goal is to have a self-sustaining community where opportunities exist.
Structure	Neighborhood Resource Teams consist of a city staff person from major City agencies operating in nine specific neighborhoods, with oversight of the team housed in the Mayor's Office (recently moved to Public Health Madison & Dane County). Focused on improving the delivery of services to these areas.
Notes	

City Survey of Enforcement and Criminal Nuisance Abatement Practices

Support Abatement Forfeiture Enforcement (S.A.F.E.) Unit Dallas, Texas

Contact:http://www.dallaspolice.net/divisions/southeast/nuisanceAbatementTeam.html

Mission	The S.A.F.E. Unit targets properties known to be havens for specific criminal activity.
Structure	The unit has personnel from police (7), City Attorneys, fire (2), and code inspectors (2). Dallas dedicated \$1.2 million to the Unit in FY 2012-13. The S.A.F.E. Unit notifies the property owners of the criminal activity and then assists cooperative property owners in putting an end to the criminal activity.
Notes	In those instances where the property owner chooses not to cooperate in the removal of these criminal elements, the S.A.F.E. Unit seeks court-ordered abatement and/or closure of the property. Uncooperative property owners risk losing access and/or the permanent use of their properties for a maximum period of one year. For information on the legal statute that covers S.A.F.E Unit activities, see Chapter 125 of the Texas Civil Practices and Remedies Code.

Beat Health Program Oakland, California

Contact: https://www.ncjrs.gov/pdffiles1/175051.pdf, https://www.ncjrs.gov/pdffiles1/nij/grants/179279.pdf

Mission	The Beat Health Program seeks to control drug and disorder problems and restore order by focusing on the physical decay and management conditions of targeted commercial establishments, private homes, and rental properties.
Structure	Five teams (covering one of the city's five beats), each consisting of a uniformed officer and police service technician and a Civilian Neighborhood Service Coordinator (liaison between team and community). The officers work with high crime properties for at least six months to enact crime prevention measures onsite. The unit opens a case after making a preliminary visit, then suggests ways to increase security, make referrals to city agencies for assistance, discuss relevant legal ordinances, and encourage owners to voluntarily fix and clean up properties. Officers coordinate site visits by the Specialized Multi-Agency Response Team (SMART), which consists of a group of city inspectors from agencies (housing, fire, public works, vector control, and Pacific Gas and Electric) who are invited to inspect a problem location and to enforce codes.
Notes	The program was disbanded in 2005. The unit offered training to landlords and owners in screening tenants and effectively managing rental properties.

Drug Abatement Response Team (DART) San Diego, California

Contact:http://www.crimesolutions.gov/ProgramDetails.aspx?ID=88

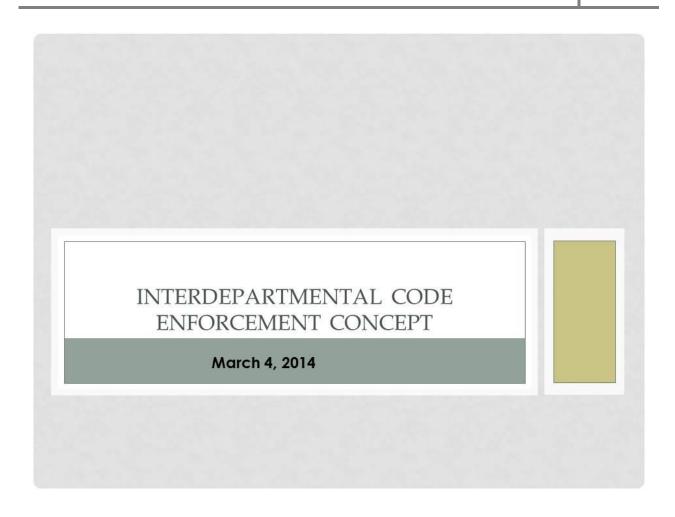
	A pilot program designed to reduce drug dealing at residential rental
Mission	properties by encouraging improved property management practices
	Program targeted 121 properties that had been subjected to some form of
Structure	drug enforcement. Filed a nuisance abatement suit which carried the
	possibility of a large fine or loss of the property.
	In more than half of the cases, this enforcement activity was a search
Notes	warrant-based raid. Other actions included knock-and-talk events (police
	requested permission to search the premises for drugs); buy-bust events
	(an undercover office made a buy, which led to an arrest); parole
	searches; and Fourth Amendment waiver actions.

Nuisance Abatement Team (NAT) Arlington, Texas

Contact:http://www.arlingtontx.gov/cityattorney/pdf/2013_StateofCAO.pdf

Mission	To proactively review properties to ensure a safe living environment for the community and curtail the use of real property as a base of operations for criminals.
Structure	Team includes a Deputy Chief of Police, Police Lieutenants, investigative and field officers, Community Services Health, Housing and Code Compliance employees, and Community Development and Planning officials including the Building Official or Assistant Building Official, Water Department, Legal Advisors, Prosecutors and other attorneys as needed.
Notes	Properties included clubs, motels, bars and apartment complexes with high criminal activity. In 2013, the team reviewed and took action on 13 nuisance properties. The NAT made recommendations regarding lighting, running criminal background checks before leasing, securing units, issuing criminal trespasses, and evicting problem tenants, etc.

Attachment 4, Interdepartmental Team Presentation and Stakeholder Input



OUTLINE

- Background
- Recommendations on Moving Forward
- Considerations
- Next Steps

CITY COUNCIL RESOLUTION ON ENHANCED CODE ENFORCEMENT

- Evaluate current code process
- Explore best practices
- Evaluate legal capabilities
- Education program for tenants
- Education program for landlords

3

OUTLINE

- Background
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ORGANIZATIONAL OPTIONS

- Create a new office, division or department
- Matrix of resources from departments
 - Issue of sustainability and continued support from departments
 - Regularly scheduled meetings similar to PACE model
- Integrate into the City Manager's Office
 - Executive levelsponsorship of Neighborhood Team will help sustainability of a program

5

RECOMMENDATIONS FOR MOVING FORWARD

- Create an office in Code Compliance Department
 - · Special unit in CCD reporting to the Director
 - Team consists of liaisons at an managerial/executive level from team departments
 - Team leader must also be at managerial/executive level
 - Team uses a matrix of resources from City departments
 - Office/work space may be provided for the Team, when available
 - Team must have full support of Director and CMO to help ensure success
- Options considered: locate at CMO and report to ACM, DCM or CM

RECOMMENDATIONS FOR MOVING FORWARD

- Create a formal partnership between district reps, neighborhood code inspectors and sanitarians
 - Develop small teams throughout the city that communicate regularly, share information, and work together to address neighborhood problems
 - Concept to be vetted through APD, HHSD and CCD
- Create crime prevention through environmental design program (CPTED)
 - Special team of police and code compliance to focus on crime prevention at multi-family properties
 - · Work with property owners and managers to improve quality of life
 - Inspect property exteriors and make recommendations to improve security and reduce potential for crimes

TEAM DEPARTMENTS

- Code Compliance
- Austin Police Department
- Austin Fire Department
- Health and Human Services Department
- Neighborhood Housing and Community Development

- Austin Resource Recovery
- · Law
- Communications & Technology Mgmnt.
- Communications & Public Information Office
- Austin Energy/311

OUTLINE

- Background
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CHALLENGES

- Identifying problems, overcoming barriers and implementing solutions in a timely manner
- Integrating data systems, reducing lag time and providing more transparency in processes
- Meeting affordable housing challenges
 - Possible displacement of residents due to unsafe living conditions
 - Need for alternative and affordable housing options
- Maintaining sustainability of initiative
 - Support from departments
 - · Demand on limited resources/budgets
 - Conflicts with existing priorities

EXISTING/PAST MODELS/BEST PRACTICES

- · APD Office of Community Liaison
- Explore APD District Representative Program
- · Keep Austin Beautiful for sustainability ideas
- Office of Neighborhood Services
- Support, Abatement, Forfeiture, Enforcement (S.A.F.E.)
- Public Assembly Code Enforcement (P.A.C.E.)
- Austin Center for Events (A.C.E.)

BEST PRACTICES FROM OTHER CITIES

- Tempe, AZ Neighborhood Services Division
 - Coordinates the Interdepartmental Work Group
- Berkeley, CA Neighborhood Services Team
 - · Considered the "first touch"
 - Coordinates the Operational Division group
- Rochester, NY Neighborhood Service Centers
 - City is divided into four quadrants, each with its own Interdepartmental Team, Neighborhood Service Center, & Strategic Plan
- Madison, WI Neighborhood Resource Teams
 - · Operate in nine specific neighborhoods
 - · Coordinates with neighborhood stakeholders

COMMUNITY INPUT

- Create communications plan for external stakeholders
- Develop a community input process
- Create community buy-in for sustainability
- Develop neighborhood partnerships
- Participate in public forums
 - APD Commander's forum
 - Neighborhood planning meetings
 - Neighborhood Association Meetings
 - Others

INITIAL AREA FOCUS

- Consideration of areas with large volume of multifamily rental properties
- Use code compliance stats, crime reports and other relevant information
- Focus efforts on hot spots
- Neighborhood Options
 - · Restore Rundberg Neighborhood
 - · East Riverside Neighborhood
 - Dove Springs
 - Others

OUTLINE

- Background
- Recommendations on Moving Forward
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- Next Steps

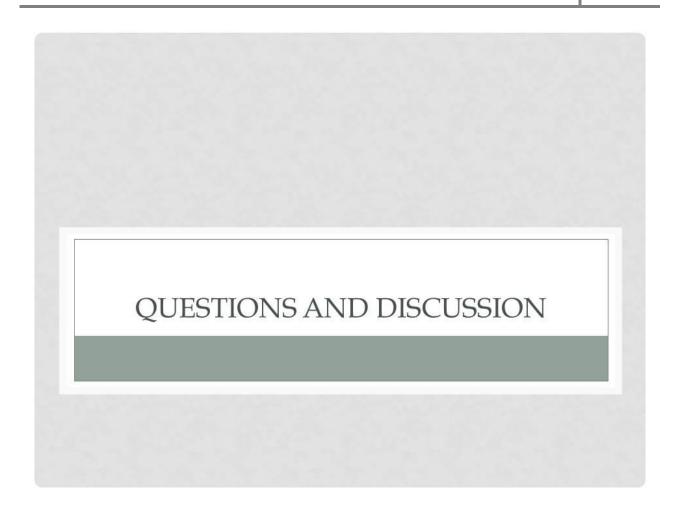
NEXT STEPS

Create Team

[January/February, 2014]

- Define mission, strategy and performance measures
- Develop communication strategies [March, 2014]
- Define reporting requirements [March, 2014]
- Prepare implementation schedule [March, 2014]
- Begin Implementation

 [April, 2014]



Attachment 5, Data Analysis

Volume of Public Safety Service Calls in Each Potential Focus Area

FY 2013 Service Calls: On Property or Within 50 Feet of Property

					<u> </u>		<u> </u>
Area	Description	Number of Properties	Code	Police	Fire	Emergency	Total
1	Riverside	81	529	2,181	2,881	3,343	8,934
2	St. John's	51	211	529	1,372	1,672	3,784
3	Rundberg	104	412	1,124	1,927	2,761	6,224
4	Gracywoods	14	33	204	298	328	863

Property With Highest Volume of Public Safety Service Calls in Each Potential Focus Area

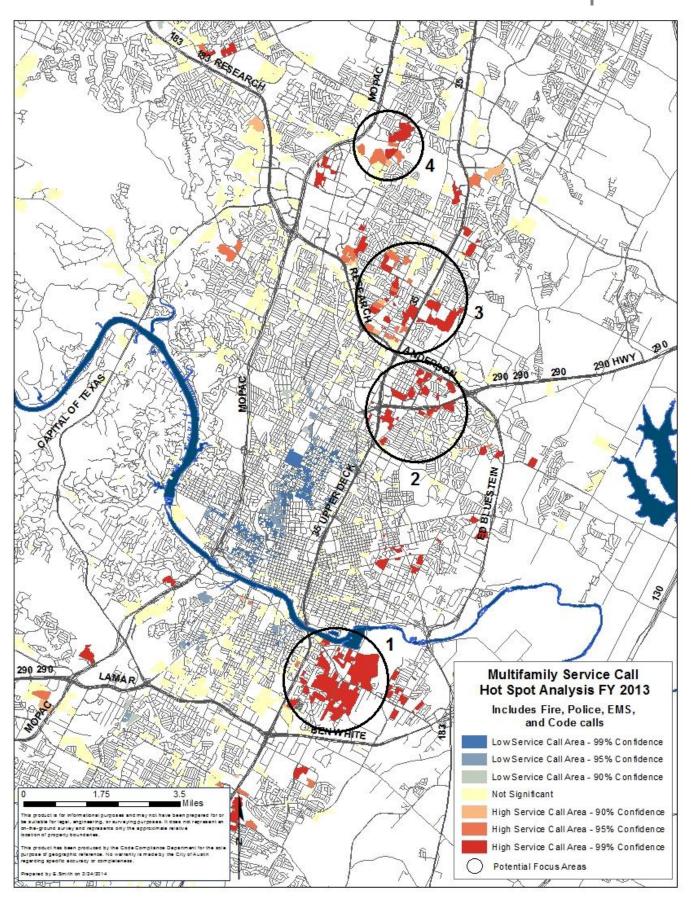
FY 2013 Service Calls: On Property or Within 50 Feet of Property

Area	Property Name	Address	Property Type	Year Built	Code	Police	Fire	Emergency	Total
1	CANYON OAKS	1516 BURTON DR	APARTMENT 100+	1968	95	79	115	147	436
2	TRESTLES XMT	1071 CLAYTON LN	APARTMENT 100+	1983	14	29	167	191	401
3	PEBBLECREEK APTS	8805 NORTH PLAZA	APARTMENT 100+	1978	2	26	106	132	266
4	CHAMPIONS CROSSING	2016 PARK BEND DR	APARTMENT 100+	1985	4	11	73	77	165

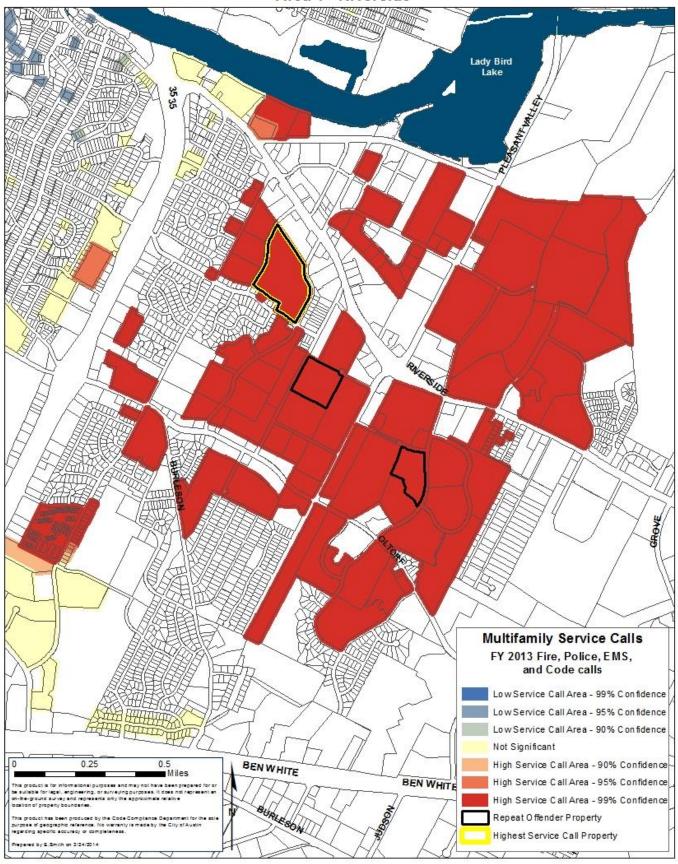
Repeat Offender Properties Within High Potential Focus Areas

FY 2013 Service Calls: On Property or Within 50 Feet of Property

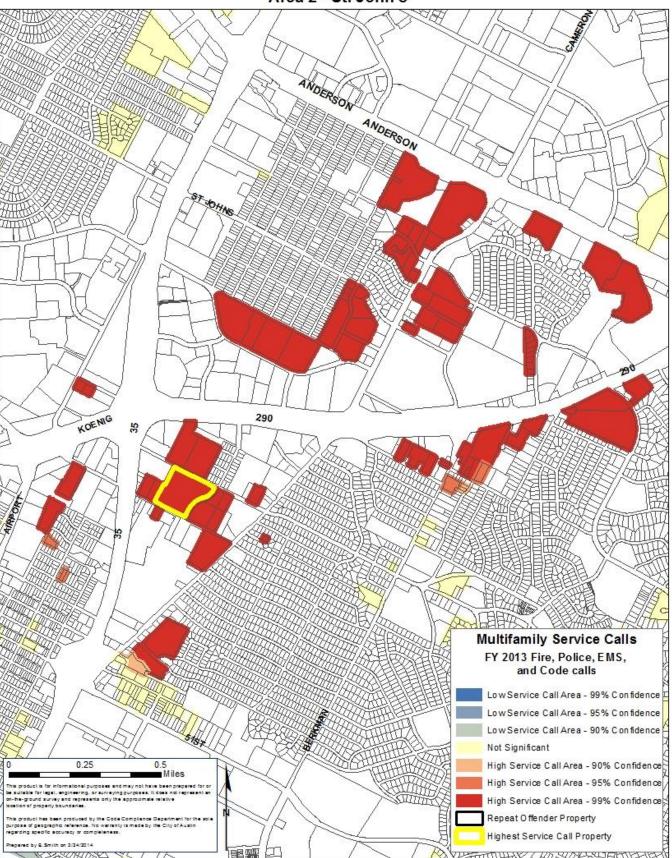
Area	Property Name	Address	Property Type	Year Built	Code	Police	Fire	Emergency	Total
1	CANYON OAKS	1516 BURTON DR	APARTMENT 100+	1968	95	79	115	147	436
1	AUSTIN VIEW AT WILLOW CREEK	1901 WILLOW CREEK DR	APARTMENT 100+	1969	33	18	54	62	167
1	WICKERSHAM GREENS	2314 WICKERSHAM LN	APARTMENT 100+	1973	27	36	55	73	191



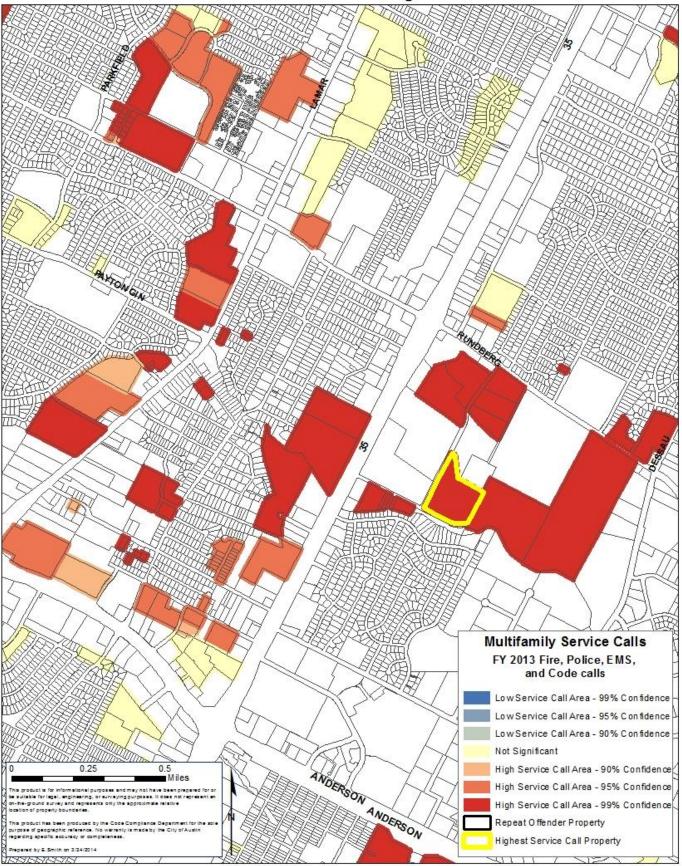
Area 1 - Riverside



Area 2 - St. John's



Area 3 - Rundberg



Area 4 - Gracywoods

